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FILING FEE EXEMPT PURSUANT TO
GOVERNMENT CODE § 6103

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11 UNITE HERE LOCAL 2850

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14

15 CALIFORNIA RESTAURANT
ASSOCIATION, a California nonprofit
16 mutual benefit corporation,

17 Plaintiff,

18 v.

19 CITY OF EMERYVILLE, a California
municipal corporation,

20 Defendant,

21 UNITE HERE LOCAL 2850, an
22 unincorporated association,

23 Intervenor-Defendant.

Case No. 3:16-cv-06660-JST

**STIPULATION EXTENDING PAGE LIMIT
FOR DEFENDANTS' JOINT REPLY IN
SUPPORT OF MOTION TO DISMISS
PLAINTIFF'S COMPLAINT; PROPOSED
ORDER**

Date: March 23, 2017
Time: 2:00 p.m.
Place: Courtroom 9 – 19th Floor

24
25 Plaintiff California Restaurant Association (“CRA”) and Defendants City of Emeryville
26 (“Emeryville”) and Unite Here Local 2850 (“Local 2850”) (collectively, “the Parties”) hereby
27 stipulate and agree that: 1) Emeryville and Local 2850 may file a Joint Reply in Support of
28 Motion to Dismiss Plaintiff’s Complaint in excess of the fifteen (15) page limitation set forth in

1 Civil Local Rule 7-4(b), but not to exceed thirty (30) pages in length; and 2) CRA may file a
2 Supplemental Reply by March 3, 2017 to address the Exhibits to the Declaration of Mr. Huber,
3 which were inadvertently omitted from the Huber Declaration when initially filed and served, and
4 are reflected in Emeryville's Notice of Errata to Declaration of Wei-Ling Huber in Support of
5 City of Emeryville's Opposition to Motion for Preliminary Injunction (Document No. 28-1).
6 This Stipulation is made pursuant to Rules 7-3, 7-11, 7-12 of the United States District Court for
7 the Northern District California.

8 There is good cause for the Stipulation to extend the page limit on the grounds that this
9 case involves several numerous complex and novel legal issues. Emeryville and Local 2850 are
10 filing a Joint Reply, and require more than fifteen (15) pages to sufficiently address all the
11 arguments raised. As background, Emeryville's points and authorities in support of its Motion to
12 Dismiss total twenty-five (25) pages. Local 2850 also filed a brief totaling twenty-four (24)
13 pages in support of the Motion to Dismiss. Plaintiff's Opposition to Emeryville's Motion to
14 Dismiss totals thirty-five (35) pages. The extended page limit will also serve the interests of
15 judicial economy and efficiency because there is overlap between the arguments advanced by
16 both Emeryville and Local 2850. Thus, filing one Joint Reply, rather than two separate briefs,
17 will decrease paperwork and will ultimately serve to narrow the issues in this case.

18 Because Emeryville and Local 2850 require more than 15 pages to sufficiently address all
19 arguments raised by CRA, the Parties therefore agree that Emeryville and Local 2850 may be
20 permitted 30 pages to respond to CRA's Opposition to the Motion to Dismiss. The Parties also
21 agree that good cause exists for CRA to file a Supplemental Reply to address the Exhibits to the
22 Declaration of Mr. Huber, which are reflected in Emeryville's Notice of Errata to Declaration of
23 Wei-Ling Huber in Support of City of Emeryville's Opposition to Motion for Preliminary
24 Injunction. Good cause exists because the exhibits were inadvertently excluded from the initial
25 filing and service, and CRA did not receive the exhibits until the afternoon of February 28,
26 2017—the day its Reply in Support of Motion for Preliminary Injunction was due.

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IT IS SO STIPULATED.

Dated: February 28, 2017

weintraub tobin chediak coleman grodin
law corporation

By: /s/ Lukas J. Clary

Lukas J. Clary
Attorneys for Plaintiff
California Restaurant Association

Dated: February 28, 2017

BURKE, WILLIAMS & SORENSEN, LLP

By: /s/ J. Leah Castella

J. Leah Castella
Benjamin L. Stock
Attorneys for Defendant
CITY OF EMERYVILLE

Dated: February 28, 2017

McCracken, Stemerman & Holsberry, LLP

By: /s/ Paul L. More

Paul L. More
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UNITE HERE Local 2850

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PROPOSED ORDER

Defendants’ Motion for Extra Pages pursuant to the Parties’ Stipulation is granted.
Emeryville and Local 2850 may file a Joint Reply up to 30 pages in support of motion to dismiss.

Dated: _____
Hon. Jon S. Tigar